



COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone: (626) 458-5100
<http://dpw.lacounty.gov>

GAIL FARBER, Director

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1460
ALHAMBRA, CALIFORNIA 91802-1460

June 18, 2013

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

39 June 18, 2013

Sachi A. Hamai
SACHI A. HAMAI
EXECUTIVE OFFICER

**AUTHORIZATION TO SUBMIT LETTERS OF INTENT
ON BEHALF OF THE COUNTY OF LOS ANGELES
TO PARTICIPATE WITH OTHER PERMITTEES
IN THE DEVELOPMENT OF WATERSHED MANAGEMENT PROGRAMS,
ENHANCED WATERSHED MANAGEMENT PROGRAMS, AND
COORDINATED INTEGRATED MONITORING PROGRAMS
(ALL SUPERVISORIAL DISTRICTS)
(3 VOTES)**

SUBJECT

This action is to authorize the Director of Public Works or her designee, on behalf of the County of Los Angeles, to sign and submit Letters of Intent to the California Regional Water Quality Control Board, Los Angeles Region, informing it of the County of Los Angeles' intent to develop various group Watershed Management Programs, Enhanced Watershed Management Programs, and Coordinated Integrated Monitoring Programs in accordance with the National Pollutant Discharge Elimination System Municipal Separate Storm Sewer System Permit.

IT IS RECOMMENDED THAT THE BOARD:

Authorize the Director of Public Works or her designee, on behalf of the County of Los Angeles, to sign and submit Letters of Intent to the California Regional Water Quality Control Board, Los Angeles Region, informing it of the County of Los Angeles' intent to participate in the development of various group Watershed Management Programs, Enhanced Watershed Management Programs, and Coordinated Integrated Monitoring Programs in accordance with the National Pollutant Discharge Elimination System Municipal Separate Storm Sewer System Permit.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended action is to authorize the Director of Public Works or her designee, on behalf of the County of Los Angeles, to sign and submit Letters of Intent similar to the enclosed sample. The Letters of Intent will be sent to the California Regional Water Quality Control Board, Los Angeles Region, informing it of the County's intent to participate in the development of collaborative Watershed Management Programs (WMPs), Enhanced Watershed Management Programs (EWMPs), and Coordinated Integrated Monitoring Programs (CIMPs) with other permittees, to comply with the National Pollutant Discharge Elimination System Municipal Separate Storm Sewer System Permit (Permit).

The County is one of 86 permittees subject to Permit Order No. R4-2012-0175, which became effective on December 28, 2012. The Permit requires all permittees to provide notices and Letters of Intent to the Regional Board by June 28, 2013, detailing the method by which they will comply with the Permit. The Permit provides permittees with three options for achieving compliance with established water quality objectives and encourages permittee collaboration through the formation of watershed management groups. The compliance alternatives established in the permit are (1) development and implementation of an EWMP, (2) development and implementation of an individual or group WMP, and (3) implementation of very prescriptive requirements and compliance targets of the Permit. All permittees are also required to submit and implement an Integrated Monitoring Program, either individually or collaboratively.

Option 1 – Enhanced Watershed Management Program

Permittees that choose to collaboratively develop an EWMP are given 30 months to develop a program that includes customized strategies, monitoring, and Best Management Practices (BMPs) tailored toward the needs of their watershed areas. An EWMP must evaluate opportunities throughout the watershed for multibenefit regional projects that capture nonstorm and stormwater runoff for groundwater recharge or other reuse. A benefit of including multibenefit regional projects in a compliance program is that upon Regional Board approval of the EWMP and construction of the multibenefit regional project(s), the Permittee will be deemed in compliance with all water quality objectives applicable to the drainage area(s) covered by the project(s).

Permittees choosing this option must also complete several early actions, such as development of a Low-Impact Development Ordinance, development of a Green Streets Policy, and completion of a structural BMP or suite of structural BMPs at a scale that provides meaningful water quality improvement.

Option 2 – Individual or Group Watershed Management Program

Permittees that choose to develop an individual or group WMP are given 12 to 18 months to develop a program of customized strategies, monitoring, and BMPs to implement individually or collectively within the permittee(s)' watershed areas. During program implementation, as long as a permittee meets program requirements, the permittee will be deemed in compliance with all established interim compliance dates.

Option 3 – Implementation of Prescriptive Permit Requirements

Permittees that choose the prescriptive Permit option must implement all programs detailed in the Permit and do not have the option of customizing their strategies toward the needs of the watershed areas through the development of a compliance plan. Permittees must meet all applicable water

quality objectives (both interim and final) by the dates established in the Permit. If a permittee is found to be out of compliance, it may be subject to Regional Board enforcement actions and/or financial penalties.

Recommendation

The County has three options for compliance with the Permit. Based on previous planning and monitoring efforts, it is recommended that the County choose Option 1 in all watershed areas where it is deemed feasible. This approach can provide many opportunities for leveraging funding for regional grants, fostering partnerships with other Permittees and water supply agencies, and economies of scale by minimizing duplicative efforts. This approach also provides extended time frames for integrated planning efforts, action-based compliance, incentives for watershed-based planning, and opportunities for program customization.

The cost for the County to participate in plan development with the 11 Enhanced Watershed Management groups is currently estimated to be \$4.5 million. Based on an evaluation of other planning efforts, we anticipate an overall planning cost savings of approximately \$1.5 million by sharing the cost of the 11 programs rather than preparing 11 individual programs.

For the one unincorporated County area that has limited opportunities for regional projects and is in a watershed where cities have elected not to develop an EWMP and a CIMP, it is recommended that the County partner with the Los Angeles County Flood Control District in the development of a WMP and CIMP. The cost of this planning effort is currently estimated to be \$100,000.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provision of Operational Effectiveness (Goal 1). The recommended action supports the development of a cooperative partnership with local agencies to provide a public service in an effective and efficient manner.

FISCAL IMPACT/FINANCING

The purpose of the Letters of Intent is to notify the Regional Board of the County's intent to participate in collaborative watershed planning with other permittees. We will return to the Board in a future Board letter for approval to execute Memorandums of Understanding between the County and other participating permittees. The Department of Public Works General Fund Fiscal Year 2013-14 Recommended Budget includes \$10 million ongoing net County cost for the Unincorporated Area Stormwater Program; these funds may be utilized for the Memorandums of Understanding and will be analyzed/considered during the annual budget process to determine if sufficient funding is available for future Unincorporated Area Stormwater Program requirements.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

On December 28, 2012, the new Permit (Order No. R4-2012-0175) became effective. The Permit encourages permittees to develop EWMPs and CIMPs collaboratively. Participating in the development of various EWMPs and CIMPs is part of the County's ongoing programs to comply with the requirements of the Permit.

Approval to execute Memorandums of Understanding between the County and other participating permittees will be requested in a subsequent Board letter.

ENVIRONMENTAL DOCUMENTATION

The proposed activity is not a project pursuant to the California Environmental Quality Act (CEQA) because it is an activity that is excluded from the definition of a project by Section 15378(b) of the CEQA Guidelines. The proposed action is an administrative activity of government, which will not result in direct or indirect physical changes to the environment. We will return to the Board to obtain approval to execute Memorandums of Understanding between the County and other participating permittees.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

There will be no negative impact on current services.

CONCLUSION

Please return one adopted copy of this letter to the Chief Executive Office (Community and Municipal Services Cluster) and one copy to the Department of Public Works, Watershed Management Division.

Respectfully submitted,

A handwritten signature in cursive script that reads "Gail Farber".

GAIL FARBER
Director

GF:GH:jht

Enclosures

c: Chief Executive Office (Rita Robinson)
County Counsel
Executive Office



GAIL FARBER, Director

COUNTY OF LOS ANGELES

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IN REPLY PLEASE

REFER TO FILE: WM-7

June 19, 2013

Mr. Samuel Unger, P.E., Executive Officer
California Regional Water Quality
Control Board – Los Angeles Region
320 West 4th Street, Suite 200
Los Angeles, CA 90013

Attention Ms. Renee Purdy

Dear Mr. Unger:

**LETTER OF INTENT – COUNTY OF LOS ANGELES
NORTH SANTA MONICA BAY COASTAL WATERSHEDS
ENHANCED WATERSHED MANAGEMENT PROGRAM
AND COORDINATED INTEGRATED MONITORING PROGRAM**

The County of Los Angeles (County) submits this Letter of Intent to participate in and share the cost of the development of an Enhanced Watershed Management Program (EWMP) and a Coordinated Integrated Monitoring Program (CIMP) with the North Santa Monica Bay Coastal Watersheds Group. This Letter of Intent serves to satisfy the EWMP notification requirements of Section VI.C.4.b.iii(3) of Order No. R4-2012-0175 (Municipal Separate Storm Sewer System Permit) and the CIMP requirements of Section IV.C.1 of Attachment E of the Municipal Separate Storm Sewer System Permit.

The North Santa Monica Bay Coastal Watersheds Group consists of the following agencies: City of Malibu as coordinating agency for the EWMP and CIMP development, County, and Los Angeles County Flood Control District. The North Santa Monica Bay Coastal Watersheds Group has included a final draft Memorandum of Understanding as Exhibit ___ of the Notice of Intent. The County intends to submit a final Memorandum of Understanding to its Board of Supervisors for approval prior to December 28, 2013.

Mr. Samuel Unger
June 19, 2013
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If you have any questions, please contact Ms. Angela George at (626) 458-4325 or ageorge@dpw.lacounty.gov.

Very truly yours,

GAIL FARBER
Director of Public Works

MB:jht

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cc: City of Malibu (Jennifer Brown, Rob DuBoux)